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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,929	12/03/2003	Chiyoko Matsumi	MTS-3580US	4475
52473	7590	12/12/2008		
RATNERPRESTIA P.O. BOX 980 VALLEY FORGE, PA 19482			EXAMINER PYO, MONICA M	
			ART UNIT 2161	PAPER NUMBER
			MAIL DATE 12/12/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/725,929	Applicant(s) MATSUMI ET AL.	
	Examiner MONICA M. PYO	Art Unit 2161	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3,5,6 and 8-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,6 and 8-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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### DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/15/2008 has been entered.

2. Claims 1, 3 and 5-6 and 8-20 are currently pending in this application. Claims 1 and 9-14 are independent claims. In the Amendment filed 10/15/2008, claims 1 and 9-14 are amended.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3, 5-6 and 9-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,282,362 issued to Murphy et al. (hereinafter Murphy) in view of U.S. Patent No. 7,403,694 issued to Maruyama et al. (hereinafter Maruyama).

Regarding claims 1 and 12-20, Murphy discloses a recording and reproducing system, comprising:

**A). a record medium for holding a plurality of data files**, as the IRD180 stores the digital object image data files (Murphy: col. 9, lns. 22-38);

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**B). a recording apparatus including a parameter extractor for extracting parameter information** (i.e., the playback unit 104 down-loads the image data, position data  $L_i$ , time  $T_i$  associated with index number  $N$ ) **associated with each of the plurality of data files and recording the parameter information in the record medium as a parameter information file, the parameter information file including a reproduction parameter for each of the plurality of data files.**, as the recording of the system position at the time of capture and recording of the object image for the playback unit (Murphy: col. 9, lns. 39-col. 10, lns. 12 & 45-54); and

**C). a reproducing apparatus including a data reproducer for reproducing one of the plurality of data files** (col. 10, lns. 45-54 - examples of visual image data or audio stream data) **by using the corresponding reproduction parameter in the parameter information file**, as the playback unit utilizing the position data  $L$ , the time  $T_i$  and the index number  $N$  (Murphy: col. 10, lns. 1-21).

Although Murphy does not explicitly disclose the feature of all parameter information in the parameter information file associated with one type of data is stored sequential to all parameter information in the parameter information file associated with another type of data by using a classification according to a type of data, such a feature is well known in the art as disclosed in Maruyama (Maruyama: col. 10, lns. 50-col. 11, lns. 59; fig. 10) and it would have been obvious to one of ordinary skill in the art at the time of invention to utilize the teachings of Maruyama in the system of Murphy in view of improving the efficiency of the data recording and reproducing system.

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Regarding claim 3, Murphy and Maruyama disclose the recording and reproducing system wherein the parameter information that is associated with each of the plurality of data files is stored in a predetermined location, the parameter extractor obtains the parameter information from the predetermined location (Murphy: col. 9, lns. 22-37; col. 16, lns. 40-52).

Regarding claim 5, Murphy and Maruyama disclose the recording and reproducing system wherein each of the plurality of data files is given a file ID corresponding to a sequential order in which the parameter information that is associated with each of the plurality of the data files is stored in the parameter information file (Murphy: col. 10, lns. 1-12 & 22-54) and (Maruyama: col. 10, lns. 50-col. 11, lns. 59; fig. 10).

Regarding claim 6, Murphy and Maruyama disclose the recording and reproducing system wherein the reproduction parameter for each of the plurality of data files is provided in the parameter information file by using the respective unique data file Id (Murphy: col. 10, lns. 1-12 & 22-54) and (Maruyama: col. 10, lns. 50-col. 11, lns. 59; fig. 10).

Regarding claims 9-11, Murphy and Maruyama disclose a recording apparatus, comprising: **a parameter extractor for extracting parameter information** (i.e., the playback unit 104 down-loads the image data, position data  $L_i$ , time  $T_i$  associated with index number  $N$ ) **associated with each of a plurality of data files** (Murphy col. 10, lns. 45-54 - examples of visual image data or audio stream data) **held in a record medium and recording the parameter information in the record medium as a parameter information file, the**

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**parameter information file including a reproduction parameter for each of the plurality of data files**, as the recording of the system position at the time of capture and recording of the object image for the playback unit (Murphy: col. 9, lns. 39-col. 10, lns. 12 & 45-54), wherein one of the plurality of data files is **reproduced by using the corresponding reproduction parameter in the parameter information file**, as the playback unit utilizing the position data L, the time  $T_i$  and the index number N (Murphy: col. 10, lns. 1-21).

Although Murphy does not explicitly disclose the feature of all parameter information in the parameter information file associated with one type of data is stored sequential to all parameter information in the parameter information file associated with another type of data by using a classification according to a type of data, such a feature is well known in the art as disclosed in Maruyama (Maruyama: col. 10, lns. 50-col. 11, lns. 59; fig. 10) and it would have been obvious to one of ordinary skill in the art at the time of invention to utilize the teachings of Maruyama in the system of Murphy in view of improving the efficiency of the data recording and reproducing system.

5. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Maruyama as applied to claims 1, 3, 5-6 and 9-20 above, further in view of U.S. Patent Application Publication No. 20030012549 by Ohnuma (hereinafter Ohnuma).

Regarding claim 8, Murphy and Maruyama disclose the recording and reproducing system wherein the parameter extractor extracts its information associated with each of the

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plurality of data files and records the meta-data information in the record medium as an information file (Murphy: col. 9, lns. 22-38 and 45-67; col. 10, lns. 22-54).

Although Murphy and Maruyama do not explicitly disclose the information being a meta-data information, such a feature is well known in the art as disclosed in Ohnuma (Ohnuma: pg. 3, [0048-0049]; pg. 5, [0090]) and it would have been obvious to one of ordinary skill in the art at the time of invention to utilize the teachings of Ohnuma in the systems of Murphy and Maruyama in view of improving the efficiency of the data recording and reproducing system.

#### ***Response to Arguments***

6. Applicant's arguments with respect to claim 1, 3, 5-6 and 8-20 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MONICA M. PYO whose telephone number is (571)272-8192. The examiner can normally be reached on Mon & Thur 7:00 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Monica M Pyo  
Examiner  
Art Unit 2161

*mpyo*  
*12/2008*

*/Apu M Mofiz/  
Supervisory Patent Examiner, Art Unit 2161*